

1614



Attorney's Docket No.: 17105-021001  
(25886-0057)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : J. Chen  
Serial No. : 09/905,777  
Filed : July 13, 2001  
Conf. No. : 5768  
Title : NONINVASIVE VASCULAR THERAPY

Art Unit : 1614  
Examiner : Brian Kwon  
Customer No.: 20985

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

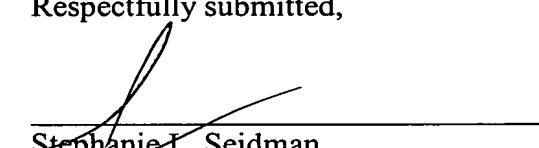
Dear Sir:

Transmitted herewith are an Supplemental Information Disclosure Statement and Forms PTO-1449 (4 pages) and cited references for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:



The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

  
Stephanie L. Seidman  
Reg. No. 33,779

Dated: July 19, 2004

Attorney Docket No. 17105-021001 (25886-0057)

**Address all correspondence to:**

Stephanie L. Seidman  
Fish & Richardson P.C.  
12390 El Camino Real  
San Diego, California 92130  
Telephone: (858) 678-5070  
Facsimile: (202) 626-7796  
email: seidman@fr.com



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §1.97-1.98. Forms PTO-1449 (4 pages) and copies of the cited documents are provided herewith.

The documents cited on the Forms PTO-1449 are in the English language with the exception of Item BR (Fischer et al.). Item BR is in the German language and is provided with an English language translation (Item BN). Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Further to the list provided in the communication filed on October 3, 2003, applicant also makes known to the Examiner the following pending U.S. and International Applications that have one or more common inventors and/or are commonly owned:

Applicant : J. Chen  
 Serial No. : 09/905,777  
 Filed : July 13, 2001  
 Supplemental Information Disclosure Statement  
 Page : 2 of 2



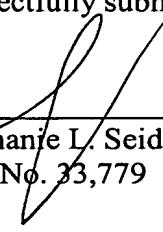
Attorney's Docket No.: 17105-021001  
 (25886-0057)

U.S.S.N.	Filing Date	Publication or Issue No.	Publication or Issue Date	Docket No.
09/592,150	06/12/00	6,624,187	09/23/03	0049
09/801,163	03/07/01	2002-0128303	09/12/02	0050
10/351,730	01/23/03	2003-0167033	09/04/03	0052
10/410,700	04/08/03	2003-0208249	11/06/03	0055D
10/802,284	03/16/04	Awaiting		0055E
10/091,144	03/04/02	2002-0127224	09/12/02	0066B
10/607,922	06/27/03	2004-0044197	03/04/04	0094
10/613,474	07/02/03	2004-0044198	03/04/04	0095
Int'l App. No.	Filing Date	Publication No.	Publication Date	Docket No.
PCT/US03/02303	01/23/03	WO03061696	07/31/03	0052PC
PCT/US03/20427	06/27/03	WO04002486	01/08/04	0094PC
PCT/US03/21179	07/02/03	WO04005289	01/15/04	0095PC
03010382.4	05/10/03			CHEN0188
PCT/US02/28149	11/25/02	WO03052793	06/26/03	CHEN0187

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,

  
 Stephanie L. Seidman  
 Reg. No. 33,779

Dated: July 19, 2004

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Stephanie L. Seidman  
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 12390 El Camino Real  
 San Diego, California 92130  
 Telephone: (858) 678-5070 Facsimile: (202) 626-7796  
 email: [seidman@fr.com](mailto:seidman@fr.com)  
 10408022.doc



Substitute Form PTO-149 (Modified)		U.S. Department of Commerce Patent and Trademark Office		Attorney's Docket No. 17105-021001 (25886-0057)	Application No. 09/905,777
<b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))		Applicant J. Chen			
		Filing Date July 13, 2001		Group Art Unit 1614	

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A	2003/0030342	02/13/03	Chen et al.	310	102	12/13/01
	B	2003/0167033	09/04/03	Chen et al.	604	20	01/23/03
	C	2003/0208249	11/06/03	Chen	607	88	04/08/03
	D	2004/0044197	03/04/04	Pandey et al.	540	140	06/27/03
	E	2004/0044198	03/04/04	Pandey et al.	540	145	06/02/03
	F	4,577,636	03/25/86	Spears	128	654	01/27/84
	G	4,690,492	09/01/87	Beard	350	96.20	09/04/84
	H	4,852,567	08/01/89	Sinofsky	128	303.1	01/21/88
	I	4,861,876	08/29/89	Kessel	540	145	11/26/86
	J	4,866,168	09/12/89	Dougherty et al.	540	145	07/24/86
	K	4,878,891	11/07/89	Judy et al.	604	5	06/25/87
	L	4,925,736	05/15/90	Shikowitz	424	449	07/06/88
	M	4,935,498	06/19/90	Sessler et al.	534	15	03/06/89
	N	4,957,481	09/18/90	Gatenby	604	20	07/03/89
	O	4,973,848	11/27/90	Kolobanov et al.	250	458.1	07/28/89
	P	4,986,628	01/22/91	Lozhenko et al.	350	96.29	04/18/90
	Q	4,997,639	03/05/91	Aizawa et al.	424	9	11/27/89
	R	5,028,594	07/02/91	Carson	514	23	12/27/88
	S	5,041,078	08/20/91	Matthes et al.	604	4	12/21/89
	T	5,048,524	09/17/91	Bailey et al.	128	634	03/03/89
	U	5,053,006	10/01/91	Watson	604	52	04/02/90
	V	5,095,030	03/10/92	Levy et al.	514	410	09/28/89
	W	5,259,380	11/09/93	Mendes et al.	607	115	11/15/90
	X	5,298,018	03/29/94	Narciso, Jr.	604	21	08/14/92
	Y	5,308,861	05/03/94	Aizawa et al.	514	410	04/29/92
	Z	5,330,741	07/19/94	Smith et al.	424	9	02/24/92
	AA	5,368,841	11/29/94	Trauner et al.	424	9	02/11/93
	AB	5,430,051	07/04/95	Aizawa et al.	514	410	04/19/94
	AC	5,441,531	08/15/95	Zarate et al.	607	90	10/18/93

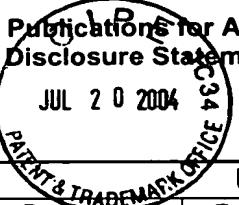
Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office		Attorney's Docket No. 17105-021001 (25886-0057)	Application No. 09/905,777
<b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))		Applicant J. Chen			
		Filing Date July 13, 2001		Group Art Unit 1614	

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AD	5,454,794	10/03/95	Narcisco et al.	604	280	10/15/93
	AE	5,498,710	03/12/96	Pandey et al.	540	145	04/22/94
	AF	5,500,009	03/19/96	Mendes et al.	607	88	09/27/03
	AG	5,534,506	07/09/96	Morgan et al.	514	185	06/20/94
	AH	5,549,660	08/27/96	Mendes et al.	607	088	11/12/92
	AI	5,556,612	09/17/96	Anderson et al.	424	59	03/15/94
	AJ	5,567,409	10/22/96	Aizawa et al.	424	9.363	12/12/94
	AK	5,591,847	01/07/97	Pandey et al.	540	472	05/23/94
	AL	5,594,136	01/14/97	Sessler et al.	540	472	05/03/95
	AM	5,620,439	04/15/97	Abela et al.	606	11	06/06/95
	AN	5,698,866	12/16/97	Doiron et al.	257	99	05/28/96
	AO	5,770,619	07/23/98	Richter et al.	514	410	11/01/95
	AP	5,800,432	09/01/98	Swanson	606	49	05/01/95
	AQ	5,824,080	10/20/98	Lamuraglia	623	11	09/04/96
	AR	5,829,448	11/03/98	Fisher et al.	128	898	10/30/96
	AS	5,832,931	11/10/98	Wachter et al.	128	898	10/30/96
	AT	5,944,748	08/31/99	Mager et al.	607	88	07/25/97
	AU	5,976,535	11/02/99	Fritzberg et al.	424	182.1	06/06/95
	AV	5,998,597	12/07/99	Fisher et al.	536	23.1	12/11/97
	AW	6,036,941	03/14/00	Bottiroli et al.	424	9.6	05/11/98
	AX	6,042,603	03/28/00	Fisher et al.	607	89	05/04/98
	AY	6,048,359	04/11/00	Biel	607	92	08/25/98
	AZ	6,063,108	05/16/00	Salansky et al.	607	89	01/06/97
	BA	6,090,788	07/18/00	Lurie	514	23	06/30/99
	BB	6,107,466	08/22/00	Hasan et al.	530	351	09/24/98
	BC	6,117,862	09/12/00	Margaron et al.	514	185	11/09/98
	BD	6,123,923	09/26/00	Unger et al.	424	9.52	12/18/97
	BE	6,152,951	11/28/00	Hashimoto et al.	607	92	02/17/98
	BF	6,162,242	12/19/00	Peyman	607	88	01/21/99

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<b>List of Patents and Publications for Applicant's Information Disclosure Statement</b> JUL 20 2004 (37 CFR §1.98(b))				Applicant J. Chen			
				Filing Date July 13, 2001		Group Art Unit 1614	
<b>U.S. Patent Documents</b>							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	BG	6,187,030	02/13/01	Gart et al.	607	93	11/05/98
	BH	6,223,071	04/24/01	Lundahl et al.	600	476	05/01/98
	BI	6,624,187	09/23/03	Pandey et al.	514	410	06/12/00
	BJ	6,657,351	12/02/03	Chen et al.	310	171	07/20/01

<b>Foreign Patent Documents or Published Foreign Patent Applications</b>							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation
							Yes      No
	BK	00/61584 A1	10/19/00	PCT			
	BL	2004/002476 A2	01/08/04	PCT			
	BM	2004/005289 A2	01/15/04	PCT			

<b>Other Documents (include Author, Title, Date, and Place of Publication)</b>		
Examiner Initial	Desig. ID	Document
	BN	Certified English Translation of: Fischer, H. et al., "[On the Bromination of the Esters of Mesoisochlorin e4 and Mesochlorin e6]," <i>Berische der Deutschen Chemischen</i> 75:1778-1795 (1942)
	BO	Chen et al., "New directions in photodynamic therapy," <i>ICCP-2. 2nd International Conference on Porphyrins and Phthalocyanines</i> , 2002 30 June - 5 July; Kyoto, Japan: 78 [abstract S-26]
	BP	Database Crossfire Beilstein, Database Accession No. 4286587 (Reaction ID), for Levinson, E.G. et al., Russ. J. Bioorg. Chem (Engl. Transl.) 21(3):199-203 (1995) in Russian in the :Bioorg. Khim. 21(3):230-234 (1995)
	BQ	Derwent English Abstract, Accession No. 1996-475153, citing Russian Patent RU 2054944 C, published February 27, 1996, "Production of purpurin-18 for treatment of tumours – comprises extracting vegetable waste with ethanol, oxidative splitting, degreasing and purifying".
	BR	Fischer, H. et al., "[On the Bromination of the Esters of Mesoisochlorin e <sub>4</sub> and Mesochlorin e <sub>6</sub> ]," <i>Berische der Deutschen Chemischen</i> 75:1778-1795 (1942)
	BS	Haslam et al., "Recent Developments in Methods for the Esterification and Protection of the Carboxyl Group," <i>Tetrahedron</i> 36: 2409-2433 (1980)
	BT	Jones et al. "Photodynamic therapy for patients with advanced non-small-cell carcinoma of the lung," <i>Clin Lung Cancer</i> . 3(1):37-41 (2001)
	BU	Li et al., "Application of Ruppert's reagent in preparing novel perfluorinated porphyrins, chlorins and bacteriochlorins", <i>J. Chem. Soc. Perkin Trans 1</i> , 1785-1787 (1999)
	BV	Patent Abstract of Japan citing Japanese Patent Application JP 09124652, published May 13, 1997, "Porphyrin Derivative and Use Thereof".
	BW	Smith et al., "Bacteriochlorophylls c from <i>Chloropseudomonas ethylicum</i> . Composition and NMR Studies of the Pheophorbides and Derivatives", Am. Chem. Soc., 102(7):2437-2448 (1980)
	BX	Smith et al., "Meso substitution of chlorophyll derivatives: direct route for transformation of bacteriopheophorbides d into bacteriopheophorbides c," <i>J Am Chem Soc</i> 107:4946-54 (1985)

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JUL 20 2004

PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCESheet 4 of 4

Substitute Form PTO-1449 (Modified)		Attorney's Docket No. 17105-021001 (25886-0057)	Application No. 09/905,777
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		Filing Date July 13, 2001	Group Art Unit 1614
<b>Other Documents (include Author, Title, Date, and Place of Publication)</b>			
Examiner Initial	Desig. ID	Document	
	BY	Zheng et al., "Photosensitizers Related to Purpurin-18-N-alkylimides: A Comparative in vivo Tumoricidal Ability of Ester versus Amide Functionalities", <i>Bioorganic &amp; Med. Chem. Letts.</i> , 10:123-127 (2000)	
	BZ	Zheng et al., "Chlorin-based symmetrical and unsymmetrical dimers with amide linkages: effect of the substituents on photodynamic and photophysical properties," <i>J. Chem. Soc. Perkins 1</i> , pp.3113-3121 (2000)	

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